

**9696. Misbranding of LeSieur's Syrup of Tar and Cod Liver Extract. U. S. \* \* \* v. Philius E. LeSieur (The Ocean Mills Co.). Plea of nolo contendere. Fine, \$25.** (F. & D. No. 12885. I. S. No. 12891-r.)

On October 26, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philius E. LeSieur, trading as the Ocean Mills Co., Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 29, 1919, from the State of Massachusetts into the State of New Hampshire, of a quantity of LeSieur's Syrup of Tar and Cod Liver Extract which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained alcohol, by volume 1.92 per cent, chloroform, 2.45 minims per fluid ounce, menthol, oil of tar, ammonium salts, sugar, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles containing the said article and in the accompanying wrappers, falsely and fraudulently represented it to be effective as a preventative, treatment, remedy, and cure for bronchitis, catarrh, whooping cough, croup, asthma, consumption at its first stage, and all diseases of the respiratory organs, when, in truth and in fact, it was not.

On November 10, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9697. Adulteration of coloring matter. U. S. \* \* \* v. 2 Cans \* \* \* of Coloring Matter. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 12895. I. S. No. 253-t. S. No. C-2063.)

On July 29, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, more or less, of coloring matter, remaining unsold at Middletown, Ohio, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about July 3, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it contained an added poisonous or deleterious ingredient [arsenic], which might render it injurious to health.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9698. Misbranding of cottonseed cake. U. S. \* \* \* v. Dallas Peanut Feed Manufacturers, a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 12889. I. S. No. 11967-r.)

On August 20, 1920, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dallas Peanut Feed Manufacturers, a corporation, Dallas, Tex., alleging shipment by said company, on or about October 24, 1918, in violation of the Food